

UNITED STATES DISTRICT COURT
OF THE DISTRICT OF MASSACHUSETTS

C.A. NO. 04-11971-GAO

JANET M. BUTLER,)
Plaintiff,)
V.)
MARK S. BEATON, Individually)
and in his capacity as a Member)
of the BOARD OF SELECTMEN)
OF THE TOWN OF KINGSTON,)
PAUL GALLAGHER, OLAVO B.)
DEMACEDO, JOSEPH D.)
KELLEHER, RICHARD E.)
KENNEY in their capacities as)
Members of the BOARD OF)
SELECTMEN OF THE TOWN OF)
KINGSTON AND TOWN OF)
KINGSTON,)
Defendants.)

STIPULATION OF DISMISSAL

All parties to the above-entitled action, pursuant to the provisions of Fed. R. Civ. P. 41(a)(1)(ii), hereby stipulate that Counts II & IV of the plaintiff's complaint against all above captioned defendants, be dismissed with prejudice and without costs. All rights of appeal are waived.

Respectfully submitted,

Plaintiff,
By her attorneys,

Defendants,
By their attorneys,

/s/ Robert W. Galvin
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Dated: December 29, 2004